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THE SENATE OF TEXAS
SENATE COMMITTEE ON STATE AFFAIRS
APRIL 30, 2007
(HOUSE BILL 218 PUBLIC HEARING)

Transcribed by Jean Thomas Fraunhofer, CSR

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1 (TIMER: 51:06.1 to 3:06:35.6)

2 CHAIRMAN DUNCAN: Next bill is -- let's
3 see -- House Bill 218 by Brown. Fraser is the senate
4 sponsor relating to requiring a voter to present proof
5 of identification. Senator Fraser, you're recognized.
6 I believe you have a substitute. You want to go ahead
7 and lay the substitute out first? Or just lay it out
8 and then you can --

9 SENATOR FRASER: If we could, there is a
10 substitute. I'm going to talk a minute about the -- the
11 original bill --

12 CHAIRMAN DUNCAN: Okay.

13 SENATOR FRASER: -- and then we'll talk
14 about the substitute.

15 CHAIRMAN DUNCAN: Go ahead. Senator
16 Fraser sends up a committee substitute and will explain
17 the original bill and the differences between the
18 original and the committee substitute.

19 SENATOR FRASER: Thank you, Mr. Chairman.
20 I'm going to reverse this. I will now lay out the
21 committee's substitute and then I'll be -- testimony
22 will be describing the substitute.

23 Mr. Chairman, in the 1960's Americans
24 filed a civil rights battle to ensure the right of
25 everyone to vote, but every American has an equal civil



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1 right not to have their ballot canceled out by someone
2 who shouldn't be voting or is voting twice or in some
3 cases has long since died.

4 A current Wall Street Journal/NBC news
5 poll was last April found that 80 percent of Americans
6 favored a photo ID requirement with only 7 percent
7 opposed. However, a more recent poll was conducted by
8 Royal Masset finds that 85 percent of Texans regardless
9 of income level or race favor photo ID.

10 Americans are frequently asked to show
11 identification for even the most mundane activities, to
12 rent a DVD, check out a library book, board an airplane,
13 to buy alcohol or to belong to a bulk retail club such
14 as Sam's Club or to purchase cold medications such as
15 Sudafed. In each of these instances, the right to vote
16 trumps all importance. A worker in a polling place
17 should be able to identify the identity of the voter.

18 The issue is not only in Texas. These
19 safeguards now are in a host of countries, two bordering
20 the United States. Canada and Mexico both have the
21 safeguards, but we're joined by France, Germany, Italy,
22 Poland, Britain, India and south Africa in requiring a
23 photo ID.

24 House bill -- France -- France -- House
25 Bill 218 requires that in offering to vote, a voter must



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1 present either one form of photo ID or two different
2 forms of non-photo identification. If the person fails
3 to meet these standards, they must still vote upon the
4 completion of a provisional ballot affidavit.

5 The committee substitute difference from
6 the gross version in that it eliminates exceptions to
7 the law, and instead of requiring the county voter
8 registrar to mail each voter notice of the change of
9 law, that notification must be placed on the Secretary
10 of State's website and the website of the county
11 registrar, if they have one, and that is the bill.

12 CHAIRMAN DUNCAN: Thank you. Members,
13 also, I think if you'll look at your interim report that
14 was done over the -- that our committee did over the
15 interim, there's an excellent brief that stands in on
16 this with regard to the law as it has evolved, and I
17 think it's pretty current. I think there's been one
18 extra case that's some new case that's come out since
19 that brief was prepared, and it basically discusses the
20 attempts by other states to use voter ID and kind of
21 gives you a good outline of where the law has progressed
22 with regard to the use of voter ID.

23 And I think, Senator, it's my
24 understanding that the substitute that you've developed
25 here reflects those changes or at least the principles



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1 that are embodied in those cases; is that correct?

2 SENATOR FRASER: That is correct.

3 CHAIRMAN DUNCAN: All right. Are there
4 any questions of Senator Fraser? All right. We've got
5 a few witnesses on this more or less, and we will go
6 ahead and -- let's go ahead and call up panels of three.
7 Again, recall that your time limits are 3 minutes.
8 Members, if you'll refrain from asking questions until
9 the witness has had a chance to complete their
10 testimony, that will be helpful, and then you can ask
11 all the questions you need.

12 Skipper Wallace, Jose Garza, Amanda
13 McCluskey. And please don't read to us. If you can
14 talk to us, we'd appreciate that very much. And you've
15 got 3 minutes, members, so -- I call, I think, first
16 Skipper Wallace. Mr. Wallace. Mr. Wallace is not here?
17 Okay. Let the record reflect that Mr. Wallace is the --
18 represents the Republican County Chairmans Association,
19 State Legislative Chair, registered in favor of the
20 bill.

21 Okay. We have Mr. Garza, Amanda
22 McCluskey, and let's go ahead and get David Sanchez up
23 here too. Okay. Please state your name and who you
24 represent.

25 SENATOR FRASER: Mr. Chairman?



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1 CHAIRMAN DUNCAN: Senator Fraser?

2 SENATOR FRASER: Skipper Wallace just came
3 in.

4 CHAIRMAN DUNCAN: Oh, okay. Okay.
5 Mr. Wallace, why don't you -- you can come -- Well, come
6 up. We've already called you and we'll -- okay.
7 Mr. Garza?

8 MR. GARZA: Yes my. Name is Jose Garza,
9 and I'm here on behalf of LULAC. I'm their voting
10 rights counsel, and I'm here to speak against the -- the
11 bill.

12 CHAIRMAN DUNCAN: Let me -- The bill or
13 the committee substitute?

14 MR. GARZA: The committee substitute and
15 the bill, either one or both. It is LULAC's position
16 that the voter ID bill would not pass muster under the
17 Voting Rights Act. It would be illegal under Section 5
18 of the Voting Rights Act. As the committee is aware,
19 any bill -- any law that is passed in Texas that impacts
20 on the right to vote must be reviewed by the Department
21 of Justice under Section 5 of the Voting Rights Act.
22 That review entails a requirement that the bill not be
23 retrogressive in its application to minority voters.

24 In making that assessment, the Department
25 of Justice will review a number of items to make that



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determination, including that is a benchmark law that is what is in place now. In comparison then to the law as it is now, this bill places a burden on minority voters and to a greater extent, other voters of the state. The requirements that are in place because of the status of minority voters in Texas makes it more difficult for them to comply with this bill.

I came today with Mr. George Korbel who's done an analysis of a number of things, and he'll testify as we proceed with hearing evidence in which we have -- we'll be able to show the number of items that are required by this bill do weigh -- place a heavier burden on minority voters, and, therefore, in our assessment of the bill, this bill would not pass muster under Section 5 of the Voting Rights Act and would dampen voter participation in the minority community. We urge the Senate to reject the bill and the substitute.

CHAIRMAN DUNCAN: Okay. Members, any questions? Senator Fraser?

SENATOR FRASER: Just clarification, members. The voter identification laws that are more strict in House Bill 218 have already passed preclearance by the Department of Justice under the Voting Rights Act in Arizona, Louisiana, Florida and



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1 South Dakota. Secondly, a US District Court has
2 recently affirmed that voter identification laws are not
3 an unconstitutional poll tax and its rulings are based
4 on Indiana 2007, Georgia 2006, relying on the Supreme
5 Court's decision and verdict. Both cases noted the
6 imposition in general burden does not transform a
7 regulation to a poll tax.

8 CHAIRMAN DUNCAN: Senator Ellis.

9 SENATOR ELLIS: Can you give me some input
10 on what has happened around the country when the laws
11 have been put in place?

12 MR. GARZA: Well, a number of them have
13 been challenged, and as the senator indicated, a number
14 of them have been successful in securing preclearance
15 and/or securing approval in court challenges. However,
16 the circumstances of Texas are unique. The voting
17 history -- the election laws have been applied to
18 minorities in Texas is unique.

19 One of the things that Mr. Korbelt is going
20 to show, for example, is one of the -- if you don't have
21 a driver's license, you can get a voter ID from a
22 Department of Transportation outlet. One of the things
23 Mr. Korbelt has done is to show the accessibility of
24 those substations where you can get those IDs, and
25 they're in such -- in locations such that they are



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1 extremely difficult for the minority community to --
2 to -- to access. So the facts of Texas are going to be
3 unique, and it is our opinion that once the Department
4 of Justice reviews these unique facts that this bill and
5 this substitute will not comply with the Voting Rights
6 Act.

7 SENATOR ELLIS: Of course, you are aware
8 of the criticism with the Department of Justice in the
9 last several months with political activity that has
10 been going on in the justice department.

11 MR. GARZA: That's right. That's
12 another -- In order to compare what's happening now with
13 things that have occurred in the past, you can't divest
14 yourself of the history that the Department of Justice
15 has had in being politicized. We believe that that
16 scrutiny that has been placed on the Department of
17 Justice will allow the Department of Justice to have a
18 more independent view from the staff when this bill, if
19 it passes, is reviewed by the Department of Justice.

20 CHAIRMAN DUNCAN: Thank you. Senator Van
21 de Putte?

22 SENATOR VAN DE PUTTE: Thank you,
23 Mr. Garza, for being here. Can you tell me of the
24 states where this has been, I guess, upheld, how many of
25 those states are under both Section 5 and Section 2 of



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1 the Voting Rights Act?

2 MR. GARZA: Well, a number of them -- I'm
3 not familiar with the precise number, Senator. A number
4 of them have had challenged Section 2 of the vote --

5 SENATOR VAN DE PUTTE: Right.

6 MR. GARZA: -- of the Voting Rights Act,
7 and a number of them have been reviewed under Section 5
8 and secured preclearance under Section 5. In all of
9 those circumstances, however, comparing those bills to
10 the bill in Texas, is I don't think that's a fair
11 comparison. The facts in Texas are going to be
12 different regardless of what their -- each of the
13 features of the bill are the same or not.

14 The minority community in Texas has had a
15 different experience from the minority community in
16 Arizona, for example. The minority community in Texas
17 has a different socioeconomic situation than in other
18 states. One of the states in which this has been very
19 contentious and very controversial is in the State of
20 Georgia. The State of Georgia's minority population is
21 just slightly larger than the minority population in
22 Harris County. In one county, we have almost as many
23 minorities as the entire State of Georgia. So the
24 review by the Department of Justice under Section 5 is
25 going to be unique to the facts in Texas.



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1 SENATOR VAN DE PUTTE: Thank you for that
2 clarification. My other question is the studies that
3 you've seen, what sort of percentage can we expect on
4 decreases on voter turnout in the minority community?

5 MR. GARZA: Well, again, I think that
6 the -- there's going to be a substantial reduction.
7 This is essentially setting up a reregistration for the
8 minority community, and in a number of situations where
9 laws have been passed in Texas to require, for example,
10 the -- the -- the cleaning of the roles. The Department
11 of Justice has been very skeptical about those -- about
12 those bills, and in this situation that's essentially
13 what we're going to have with the great number of people
14 who don't have driver's licenses, who don't have voter
15 ID, and are having --

16 The other thing that's important in terms
17 of analyzing this is a lot of studies have shown that
18 you don't make a decision to go vote until election day
19 and the minute that you decide to go vote, within that
20 time frame. So if you don't have a driver's license, if
21 you don't have a voter ID, then it's -- and you don't
22 live in an area where a substation for getting a voter
23 ID is located, that's not going to be an option. So you
24 are going to have to make a determination about what
25 kinds of alternative identification you are going to be



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1 able to secure in that sort of time frame.

2 Again, all of those things that are --
3 that are listed as alternatives forms of identification
4 are going to be less available to poor citizens of -- of
5 Texas than to other folks, and our studies show that
6 minority community is over-concentrated in those
7 socioeconomic levels.

8 SENATOR VAN DE PUTTE: Thank you,
9 Mr. Garza. I don't have any other further questions.

10 CHAIRMAN DUNCAN: All right. We have
11 Amanda McCluskey, AARP Texas. State your name and who
12 you represent.

13 MS. McCLUSKEY: Sure. Thank you. Good
14 morning, my name's Amanda McCluskey. I represent AARP
15 Texas and our 2.3 million members here in the State of
16 Texas. I'm the manager of Advocacy for Texas, and I'm
17 here to talk with you about our opposition to House Bill
18 218. We're very concerned that this bill he -- it hits
19 right at the most basic rights, and one of those most
20 basic rights is the right to vote. We should be doing
21 more to encourage people to participate in the voting
22 process, not creating barriers that keep voters away
23 from the polls and make it more difficult to cast their
24 vote and participate in our -- in our democracy.

25 Specifically, we think this is a major



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1 concern for our members, particularly our older members
2 because those are the voters who have less access to --
3 to important documents. They have less ability to
4 access the facilities that are needed to get -- if they
5 don't have a driver's license, they have less ability to
6 gets the ID cards that were mentioned earlier. They are
7 also the largest voting block. In the last election
8 more than half of the voters were over age 50, and we
9 believe that this raises serious issues for this
10 population to have access to the voting booth.

11 Simple paperwork is often complicated and
12 difficult for our more elderly citizens. Also,
13 documents like a birth certificate, expired passport,
14 these are all often difficult for our older members of
15 society to purchase -- to produce and/or purchase. They
16 may be lost due to fire, due to moving, due to papers
17 being misplaced. All of these make it difficult for
18 someone to produce the necessary documentation outlined
19 in House Bill 218.

20 One other thing I'd like to share with you
21 to give you kind of a sense of the concerns of this
22 population is that 18 percent of Americans over age 65
23 do not have some form of government issued photo ID. So
24 if we think about disenfranchising, essentially
25 18 percent of our 65-plus population with this kind of



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1 piece of legislation raises serious concerns for them.
2 So I thank you for your time, and I urge you to vote
3 against House Bill 218.

4 CHAIRMAN DUNCAN: Senator Ellis?

5 SENATOR ELLIS: What's the source of that
6 percentage of people who don't have any form of ID?

7 MS. McCLUSKEY: It comes from the New York
8 School of Law, a study done by the Center for Justice
9 there, and I have this document and copies --

10 SENATOR ELLIS: It's a nationwide study?

11 MS. McCLUSKEY: It's a nationwide study of
12 Americans --

13 SENATOR ELLIS: So in some states it may
14 be even higher.

15 MS. McCLUSKEY: It's possibly. Doesn't
16 have the data.

17 SENATOR ELLIS: So in your opinion -- if
18 you can speak for your organization, do you see this
19 bill as voter suppression measure?

20 MS. McCLUSKEY: We're absolutely concerned
21 that this is going to discourage people from going to
22 the polls and make it harder for them to cast their
23 vote.

24 SENATOR ELLIS: Now, in your work have you
25 had any instances in which any of your members have been



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1 accused or found guilty of voting with the wrong ID?

2 MS. McCLUSKEY: Yes. And, in fact, one of
3 the things that -- that I didn't get a chance to
4 mention, but wanted to, our understanding is that in
5 fact there's no data to support the problems that this
6 bill is purporting to try and address. Testimony --

7 SENATOR ELLIS: Go ahead.

8 MS. McCLUSKEY: -- before -- before the
9 House Elections Committee, by both the Secretary of
10 State and the Attorney General's Office said there
11 actually have been no reports since 2002 of any
12 individuals impersonating someone at the voting booth,
13 and so we think in fact that this bill is potentially --
14 it's potentially a solution in search of a problem.

15 SENATOR ELLIS: Now, and under this
16 bill -- I wasn't here when he laid out the substitute --
17 I assume that it does not apply to people who are voting
18 by mail ballot. Senator Fraser, does your bill apply to
19 folks voting by mail ballot or just people show up -- I
20 wasn't here when you laid out the substitute.

21 SENATOR FRASER: I'm asking the same
22 question to clarify is that --

23 SENATOR ELLIS: By setting up a dual
24 system so you'd have to have a ID to vote in person, but
25 if you didn't have to have it if you were voting by



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1 mail. Is that the same thing?

2 SENATOR FRASER: Same.

3 SENATOR ELLIS: Okay. So that means for
4 the older AARP members who would vote by mail, they
5 would not have to have ID, but if they show up to vote,
6 get a little exercise, have somebody to take them.
7 There's never been a case in which anybody's been
8 prosecuted by not being who they said they were. So
9 this would also have, I guess, an unintended effect of
10 your members not having friends who would take those of
11 us over 50 who can't -- who in AARP can't get vote,
12 can't get to a polling place on our own. Nobody would
13 take them because they'd say stay in the house, figure
14 out how to get somebody to do a mail ballot for you.

15 MS. McCLUSKEY: It certainly would
16 encourage those to do the mailing ballot.

17 SENATOR ELLIS: Do you happen to know of
18 other things that some of your members can do when they
19 don't have to have an ID? I know the example came up
20 sometime ago, a couple of my colleagues said to me you
21 have to have a ID to rent a video. Then they found out
22 you don't. Some people have used that voter's
23 registration card to get the video, and I'm sure if you
24 walk in there to a video store and look like Osama Bin
25 Laden, maybe they won't give it to you. But, you know,



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1 if you go in there threatening somebody with a gun, you
2 may not get it, but can you give examples of other
3 things members can do -- Like Meals on Wheels, do you
4 have to show your ID to participate in Meals on Wheels?

5 MS. McCLUSKEY: For those programs you do
6 not, beyond your initial eligibility screening, and I
7 don't know that eligibility for those programs actually
8 requires you to produce that documentation.

9 I think that the thing to keep in mind
10 with a lot of our folks is we're talking about older
11 more frail folks who spend a lot of time in their homes.
12 They don't really even rent movies in a lot of cases.
13 These are people who don't get on planes, who don't --
14 if they travel, they tend to travel sometimes on bus
15 trips. We're talking about really, really modest and
16 middle income folks who are not jet setting around the
17 world or around the country, but who are good tax paying
18 voting citizens and who want to continue to participate
19 in that process.

20 SENATOR ELLIS: And so they get on these
21 buses. You know, when my mother was alive, they could
22 even go to -- to Louisiana to sing in a choir and
23 gamble, and as long as they have that money, they can go
24 in. There's no question that they are at the right age
25 and they can walk into the casino --



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1 MS. McCLUSKEY: That's right.

2 SENATOR ELLIS: -- and participate. I
3 think it will be helpful for the committee if AARP were
4 to give us just a list of things that elderly people can
5 do. You know, all of us on this committee are over 50.
6 I'm not sure about the chair.

7 CHAIRMAN DUNCAN: I'd be happy to see
8 that, but I'd also think it would be helpful to have a
9 side by side list of things that they cannot do without
10 an ID.

11 SENATOR ELLIS: I think it will be
12 helpful, and it would be helpful to see the instances in
13 which each of those categories there have been
14 prosecutions because somebody was not who they said they
15 were. Now, obviously, you have to have an ID when you
16 go cash a check, and I'm sure there are instances where
17 people have been prosecuted. Even someone -- Maybe even
18 a AARP members who cash a check, and it was not that
19 check, but it would be good to see where it has been an
20 issue.

21 MS. McCLUSKEY: And I would point out on
22 your check example, if you get a preferred card at a
23 grocery store, once you get that preferred card, you
24 often don't have to produce a driver's license because
25 you've already proved who you are to them when you cash



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1 that check.

2 SENATOR ELLIS: At my grocery store, I
3 mean -- I don't know if I paid my dues to AARP. I'm 53.
4 But I go in and I want to get my discount at Kroger,
5 Randall's or whatever it is, I just plug in my little
6 number and they don't check and see if that's me or not,
7 but I get my -- I get my discount, but those are casual
8 things.

9 MS. McCLUSKEY: We'd be happy to take a
10 stab at putting some kind of a list like that together.

11 SENATOR ELLIS: Just a breakdown of your
12 AARP members, if you know, in Texas. If you don't --

13 MS. McCLUSKEY: You know, I can -- I can
14 tell you that we are predominantly Caucasian. We do
15 have a significant African-American membership, a
16 significant Hispanic membership, but we are certainly
17 majority Caucasian.

18 SENATOR ELLIS: And the point that I'm
19 trying to make by raising the question, obviously, is
20 clear that we think about suppression that this will
21 have with African-Americans and Hispanics, but,
22 obviously, age knows no color, no ethnicity, and with
23 your organization, most of them are Anglos, the elderly
24 people who have served our state well and paid their
25 taxes and still want to participate in the process. And



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1 this will have a chilling impact upon their ability to
2 vote. And a lot of them older people want to -- think
3 it's sort of a rare passage, when they could still --
4 they can't get out of their home to do anything else.
5 If they can, they want to get out of their home to go
6 vote. It's like religion with them to be able to go
7 exercise that right. Thank you.

8 SENATOR VAN DE PUTTE: Chairman?

9 CHAIRMAN DUNCAN: Senator Van De Putte.

10 SENATOR VAN DE PUTTE: Thank you. Thank
11 you very much. I know that I'm extremely concerned
12 about particularly what happens to your constituency at
13 AARP, but the majority of them are women. And if you
14 look at the committee substitute on Page 6, and I think
15 the same line, which is in the House, says an agency --
16 if you don't have -- you've got to have your voter ID
17 and a photo identification, and if you don't, you've got
18 to have two other forms, and it says that you could use
19 some sort of a document as issued by an agency,
20 institution or a political subdivision of the state.

21 And I'm thinking about my grandma because
22 like many women in that age, they never learned how to
23 drive. Two-car families just were not the case, and her
24 husband had the car and she was a homemaker, never
25 worked outside the home. Her job was taking care of her



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1 family and her children and then her grandchildren. She
2 never learned how to drive, but her children and
3 grandchildren would take her where she needed to go, but
4 she lived in the neighborhood that a lot of them were
5 walking, but in her later years, she wanted to maintain
6 some independence, and she got a bus card, and the bus
7 card -- I don't know, Mr. Chairman, that would be
8 helpful if you could figure out if that is one of the
9 IDs that you could use because, first, you have a
10 little -- they have a little piece of paper that says,
11 you know -- you just write your name on this, and she
12 was a -- she got a discount from the transit company for
13 being a senior. But then in later years they had the
14 effort where they did take a picture. They would
15 have -- maybe go to the senior centers and that would be
16 one of the documents.

17 But I'm extremely concerned, particularly
18 for women, and women who were homemakers all their
19 lives, who did not work outside the home, who did not
20 drive, and although my mother used to drive, she no
21 longer, and so many of them didn't. But if you could
22 help us by figuring out exactly who we're talking to
23 about here because I understand the majority of the
24 seniors that would be affected are actually, I think,
25 women and elderly women -- and elderly Caucasian women



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1 more than anything else.

2 So I'm extremely concerned about that, but
3 that would be helpful to us to know what sort of things
4 were we're talking about. Certainly, I know that my
5 grandma never had a hunting license, and she never --
6 her birth certificate -- she didn't have a birth
7 certificate. She was born at a ranch home, and so they
8 had church records of their baptisms, and that was how
9 they kept records back then. But this says -- according
10 to this, it is a birth certificate that's issued by a
11 county or a city or a state, and to my knowledge, I see
12 my grandma's birth certificate, there is none. It's a
13 baptismal certificate because back in those times the
14 churches held the records. She didn't --

15 MS. McCLUSKEY: I have the same situation
16 with my --

17 SENATOR VAN DE PUTTE: How does that work?

18 MS. McCLUSKEY: -- own father who has a
19 similar situation, and we don't actually have an
20 official birth certificate, and so for those kinds of
21 individuals, it's a real challenge here, and it's -- and
22 it's posing challenges in other places, and places in
23 society who may not be able to produce those documents,
24 but we would be happy to go ahead and try and get a
25 little bit -- save some of those kinds of documents that



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1 people particularly possessed. We think of -- You know,
2 I think your baptismal certificate is a good example,
3 but that don't necessarily fit into the criteria here
4 and are substituted sometimes --

5 SENATOR VAN DE PUTTE: Again, her marriage
6 certificate I think it was filed somewhere, but what we
7 have is a church copy. Thank you.

8 SENATOR FRASER: Just for the record, I
9 think there was a question asked a while ago in our
10 report with regard to mail in ballots, and I'll just
11 read from you -- read to you from our committee report
12 that we had in the interim. This is as within person
13 voting between -- between January 1st and 2000 --
14 January 1st, 2004, January 1st, 2006, if vote by mail --
15 if the requesting voter registered to vote by in their
16 application was for the first election following
17 registration, they must include a copy of appropriate
18 identification with their ballot when it is returned to
19 the clerk, and that's section -- that's Texas Election
20 Code Section 1805(a)(4). That is a HAVA requirement.
21 That expired on January 1st, 2006, but we're continuing
22 it in accordance with HAVA, and legislation I think is
23 already moving through the --

24 CHAIRMAN DUNCAN: Could you repeat that?

25 SENATOR FRASER: Paraphrasing that if



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1 you're voting for the first time by mail, you have to
2 include with your ballot a -- an ID, identification. I
3 think there was a question about that a while ago. So
4 we already -- we do require -- we're not running -- we
5 are running a dual system now because we're requiring on
6 mail in ballots --

7 CHAIRMAN DUNCAN: Which is current law.

8 SENATOR FRASER: Which is current law,
9 but --

10 SENATOR ELLIS: First time, right, you
11 have to send in your ID, but if you are a (inaudible)
12 ballot by mail, you don't, so the first time you send it
13 in.

14 SENATOR FRASER: Right. First time --

15 CHAIRMAN DUNCAN: And I don't believe
16 we're attempting to change that old mail in ballot --

17 SENATOR FRASER: No. Well -- Well,
18 that -- that sunset -- that basically sunset in the
19 HAVA -- in our HAVA law, and we are reinstating it in --
20 in Senate Bill 1647.

21 SENATOR ELLIS: What does that mean? The
22 new bill that is passing, it will apply to every mail in
23 ballot the first time only --

24 SENATOR FRASER: Right.

25 SENATOR ELLIS: -- or are we looking to



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1 see if you voted --

2 SENATOR FRASER: We're not changing that
3 concept. We're just extending it.

4 SENATOR ELLIS: So it still is dual
5 because under this interim, I didn't get the distinction
6 between the bill and the substitute, unless your bill is
7 saying the first time you go vote in person, you show
8 ID, but the next time you go, you don't show ID, it is a
9 dual system.

10 SENATOR FRASER: Well, not -- not -- not
11 necessarily it's dual as it is today.

12 SENATOR ELLIS: It's a little less dual.

13 SENATOR FRASER: It's a little less dual,
14 whatever that means.

15 SENATOR ELLIS: I see.

16 SENATOR FRASER: As the bill mentions.

17 SENATOR ELLIS: Yeah, I see.

18 SENATOR FRASER: A little less dual, a
19 little more dual, but it -- the -- at least from a
20 policy standpoint at least with regard to -- you know, I
21 wouldn't be concerned it will go any further than that,
22 but I think that's -- I want to clarify that -- there
23 was a question about that a while ago, and I wanted to
24 clarify what the state of the law was.

25 SENATOR ELLIS: If you want to make it



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1 consistent, I mean, that's problem -- in my mind, from
2 my background and things that I've seen that suppress
3 votes in Texas over years, you don't have a problem with
4 it period, but you could -- at least if you want to be
5 consistent, you could require them to do it every time
6 they send in a mail in ballot or say that somebody shows
7 an ID the first time, they go vote in person, then they
8 don't have to show it again.

9 CHAIRMAN DUNCAN: Well, that would be get
10 you to vote?

11 SENATOR ELLIS: No. It's a bad deal
12 period, but I'd like --

13 SENATOR FRASER: You wouldn't (inaudible)
14 would you?

15 SENATOR ELLIS: I'd have to see the impact
16 of it, but I'm just -- I'm making a point it is a dual
17 system. I mean, what's --

18 CHAIRMAN DUNCAN: (Inaudible) It is a dual
19 system today, and we're continuing that dual system.

20 SENATOR ELLIS: Okay. So my point is
21 under your bill, your bill will apply to people when
22 they go and vote. They're being required first time,
23 Houston, Texas, to show ID, but -- every time they vote,
24 but your bill will not require people who are voting by
25 mail to show ID every time they vote. That's the



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1 question, true? Okay. But that's not dual system to
2 you.

3 CHAIRMAN DUNCAN: All right. Members, any
4 questions? Senator Lucio?

5 SENATOR LUCIO: Thank you. First of all,
6 I'd like to apologize for being tardy. We were in
7 finance casting votes.

8 CHAIRMAN DUNCAN: Hope you cast one for
9 me.

10 SENATOR LUCIO: I cast everything with
11 your name on it. Thank you, Mr. Chairman. Senator, I
12 guess these are the witnesses for Chairman Fraser. Have
13 we taken into consideration the impact of legislation
14 it's going to have on poll workers in terms of how these
15 volunteers are going to know what types of ID documents
16 are acceptable or invalid?

17 SENATOR FRASER: The -- The bill requires
18 that there be a posting as you come in, and it would be
19 posted, so they would know what was available. It's no
20 different than it would be if you are cashing a check
21 and you have a photo ID. You have a list forms that are
22 available, and several things that they can offer up,
23 and, yes, it would be -- that would have as much.

24 SENATOR LUCIO: Yes, sir. I guess
25 Mr. Wallace, I'd ask you a question or two or anyone in



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1 the panel that would like to address this --

2 CHAIRMAN DUNCAN: He hasn't testified yet.

3 If you want --

4 SENATOR LUCIO: Oh, I'm sorry.

5 CHAIRMAN DUNCAN: Why don't you let him --

6 UNKNOWN SPEAKER: (Inaudible) your
7 question, sir.

8 CHAIRMAN DUNCAN: Why don't you let him
9 testify and then you can -- then that way the full
10 panel can be --

11 SENATOR LUCIO: I didn't know who had
12 already testified.

13 CHAIRMAN DUNCAN: Mr. Wallace, go ahead
14 and state your name and who you represent.

15 MR. WALLACE: I'm Skipper Wallace, and I'm
16 the state legislative chairman for the Republican County
17 Chairmans Association. I appreciate the opportunity to
18 address this panel today. We in the County Chairmans
19 Association, our main goal is to improve the election
20 process by making it fair and on a level playing field
21 for everybody. We feel like that the voter ID as stated
22 would be one of the most significant things we could do
23 to make elections more honest and above board.

24 In the process of developing our
25 legislative program, we took testimony from county



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1 chairs from all over the State of Texas, and one of the
2 main complaints -- in fact, I've identified this as
3 their number one priority -- was that they felt like
4 that they had incidences of voter fraud in their
5 elections. Having been an election judge and worked on
6 elections for 16 years, I have run across some of the
7 same problems.

8 And there's been some testimony given that
9 there are no documented cases that we have of
10 convictions of where this is the case. That is true.
11 We -- We do not have documented cases. There are a
12 couple of reasons for that. First, an individual case,
13 an election worker -- if you ever worked as an election
14 judge, you understand the hectic nature of the -- of the
15 balloting process itself. It's very hurried. There's
16 people waiting in line. You want to move them through
17 as fast as you can. You think this guy's impersonating
18 somebody else, but you don't have a lead pipe to prove
19 stench, so you go ahead and let it ride. Well, then
20 later you find out, well, you didn't. Well, you don't
21 have any proof to be able to go to a DA with to document
22 that. There is a significant amount of evidence that
23 you have to take to actually prove up one of these cases
24 which makes it very difficult.

25 Also, DAs in these local communities,



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1 local counties, this is not high on their priority list.
2 Murders, rapes, drug cases, all these kind of things are
3 way up here on the pecking order. Voter fraud,
4 impersonation is way down here. They do not place a
5 very high importance on voter fraud cases. Therefore,
6 it's extremely difficult to get a local DA to even look
7 at one of these cases. That's one of the reasons that
8 we do not have any cases filed or any cases completed on
9 this.

10 We feel like once the voter ID is
11 implemented, then we will cut down this. In fact, our
12 feeling is an ounce of prevention is worth a pound of
13 cure. We can't prove through cases that we have a
14 problem. The opposition side can't prove that we don't
15 have a problem.

16 CHAIRMAN DUNCAN: You need to wrap up.
17 Your time has expired.

18 MR. WALLACE: Okay. Anyway, the Texas
19 Republican County Chairmans Association very much
20 supports the voter ID legislation, and we'll be glad to
21 answer any questions.

22 CHAIRMAN DUNCAN: Senator Lucio?

23 SENATOR LUCIO: Mr. Wallace, do you have
24 any -- any information or any kind of proof of a DA,
25 anyone in Texas, that cared not to take up a voter fraud



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1 complaint from anyone in our state?

2 MR. WALLACE: Do I personally have a
3 specific instance? I do not. I might can get you some.
4 They came from county chairs to me --

5 SENATOR LUCIO: That would be extremely
6 important, I think, for the members of this committee to
7 know that there's -- there's evidence out there, there's
8 proof of some district attorney in our state who failed
9 but didn't want to prioritize, you know, a vote of
10 fraud. I think I would really like to know that. I
11 really would. I think that would make it an issue for
12 me to -- to possibly look at this piece of legislation
13 in a different tone.

14 I have certain questions. I'll try to be
15 as brief as possible. At this point why -- I mean, I
16 guess you told us why you felt you needed legislation
17 now, but it seems if this measure was really needed, we
18 would have passed it decades ago. Do you recall who
19 started to push this legislation and when in the years
20 past?

21 MR. WALLACE: I think the major push was
22 two years ago. The County Chairmans Association
23 supported it then, testified for it then.
24 Representative Mary Denny, from Denton, I believe, was
25 the main -- was the carrier of the bill. We got it



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1 passed in the house. We got it to the senate, and we
2 got a point of order, I believe, which killed the bill.
3 We since tried to re-look at it and reorganize it and
4 reintroduce it and have been able to get it back in the
5 house, and now here we are in the senate at the State
6 Affairs Committee and would like to see it moved on from
7 here. Does that answer your question, sir?

8 SENATOR LUCIO: Yeah, that's fine. I'm
9 going to be quoting from this document that was given to
10 us by Royal Masset, Republican Political Consultant.
11 Actually, it was published in the Quorum Report, and we
12 asked him if we could have permission to quote it, and
13 he obviously approved it. And there's several --
14 several (inaudible) to -- to -- or subtitles to, The
15 Voter ID Will Kill My Mother's Right to Vote is the
16 title. And he says he agrees with David Dewhurst --
17 obviously, Lieutenant Governor David Dewhurst's comments
18 that we should ensure that we maximize the number of
19 votes which in all -- which is all in our best
20 interests, but that we limit our elections to American
21 citizens. I think all of us agree to that. He also
22 goes on to quote the lieutenant governor. I can't
23 imagine anyone who could be against the concept. I
24 agree with David 100 percent, he says, and if he -- and
25 if he is a man of intelligence and integrity, he will --



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1 he's saying he will not support HB 218. It goes on,
2 there's no evidence on the record that non-American
3 citizens have voted in past elections in a manner that
4 would have stopped -- have been stopped by House Bill
5 218. Under voter fraud is a problem, it says, however,
6 voter fraud by individual voters is extremely rare.
7 Under voter fraud, it's rare -- it goes on to say it is
8 100 times easier to get a legal voter to the polls than
9 it is to get someone to illegally register and then talk
10 to them into voting for your candidate and getting them
11 to vote. I think right here on reports show absence of
12 misuse, registration cards, it's ready where I have a
13 star. The most credible recent study on illegal voting
14 in Texas was done by Attorney General Greg Abbott.
15 Abbott last year says, as best as I can determine, he
16 says he found no cases of illegal aliens casting
17 voters -- votes with fraudulent registration cards. I
18 think this is a very important statement.

19 He goes on to the Burka Blog where he
20 quotes many asserted that the impersonation of voters is
21 probably the least frequent type of fraud, and so on and
22 so forth. In other words, it goes -- it goes the direct
23 opposite of what you testified -- just testified on that
24 there's -- there are -- there are, I don't know,
25 frequent cases or cases where there has been voter



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1 fraud. And my question I guess, number one, is have
2 those been documented? Have we already -- Are we able
3 to see something and some things in writing where, you
4 know, heck, if there is so much that voter fraud is
5 going on? I'm all for making whatever adjustments needs
6 to be -- need to happen to be able to do it. But the
7 final page on this, he says, how does one verify the
8 genuineness of nonvoter IDs almost all of which can be
9 computer generated in seconds? And, finally, millions
10 of Americans citizens whose parents have been here for
11 generations don't have birth certificates and are
12 undocumented.

13 I'm going to say that my dad passed away
14 in September, but for the longest of time -- he was born
15 in Brownsville, and thank God there was still a few
16 old-timers around to -- to sign on to the late birth
17 certificate request, but he was a veteran of foreign
18 wars, disabled American veteran, worked for the
19 sheriff's office for 30 years. He was an American
20 citizen, yet technically he had never really taken care
21 of his birth certificate, and I know that there's still
22 a lot of people out there, thousands and thousands of
23 people possibly, especially along the border -- border
24 states that, you know, is kind of parallel to what my
25 dad's problem was. What do we do with them?



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1 MR. WALLACE: Senator, I don't -- I'm not
2 sure that I have the perfect answer for that, but I know
3 that voting is -- is not only a right, but a privilege,
4 and I think it's worth the effort --

5 SENATOR LUCIO: I go on its a
6 responsibility.

7 MR. WALLACE: It also is a responsibility,
8 yes, sir. And I think it deserves the effort that it
9 takes to -- to identify and prove up that -- that you
10 have a photo ID that really you are a citizen of the
11 United States. That's not in this bill, but -- but I
12 really feel like that -- that's not asking too much of
13 someone.

14 SENATOR LUCIO: Well, if we wish to do a
15 study, I think probably the ones that most -- most
16 frequent or so anxious to vote are those that just
17 became naturalized and become American citizens. Those
18 are people that want to be in the front line when it
19 comes to voting, and they don't take -- they don't take
20 it for granted because wherever they come from in this
21 world, they've a harder time. I just want to make sure
22 that no one's left out of the process.

23 I certainly respect the fact that, you
24 know, we -- we certainly want to make sure that there's
25 no voter fraud, but in this case, if someone could show



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1 me that there's an outbreak, that I would very much join
2 my -- my -- I want to say favorite, but my one of my
3 favorites of all time chairmans, Chairman Fraser.

4 SENATOR ELLIS: Well, wouldn't you able --
5 (inaudible).

6 CHAIRMAN DUNCAN: He is my committee.
7 Chairman Ellis?

8 SENATOR ELLIS: Mr. Wallace?

9 MR. WALLACE: Yes, sir.

10 SENATOR ELLIS: Thank you for coming.
11 Which county are you from?

12 MR. WALLACE: I'm actually chairman in
13 Lampases County.

14 SENATOR ELLIS: And you said that in your
15 experience -- your career as election judge, you have
16 seen instances of voter fraud.

17 MR. WALLACE: I've seen instances where
18 I've suspected it to be voter fraud.

19 SENATOR ELLIS: Did you report it?

20 MR. WALLACE: No.

21 SENATOR ELLIS: Do you know of any of the
22 precincts judges at the grassroots level have seen it
23 and they reported it.

24 MR. WALLACE: Well, and did report it and
25 they reported it to me. We didn't carry it any further



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1 to the district attorney, no, sir.

2 SENATOR ELLIS: Do you think that if this
3 could have a chilling impact on some people showing up
4 with this voter ID requirement?

5 MR. WALLACE: Well, you know, anything can
6 have a chilling impact on some people. If we changed
7 the polling location has a chilling impact on some
8 people, but I really think that the -- the requirement
9 to produce a -- a photo ID -- I had to produce a photo
10 ID to pick up my grandson at the elementary school the
11 other day, and maybe at your video store, you don't have
12 to, but I did have to present a photo ID to get a video.

13 SENATOR ELLIS: But you do agree this
14 could discourage some people from voting.

15 MR. WALLACE: Anything could discourage
16 people.

17 SENATOR ELLIS: Anything. If you all were
18 going to move a polling place as a party leader, do you
19 take into account whether or not if it's higher wait,
20 it's more difficult, it's a lot of traffic? Do you try
21 to accommodate things to encourage more people to show
22 up to vote or are you pretty happy with the voter
23 turnout in your county?

24 MR. WALLACE: Well, I don't think anybody
25 can say that we would be happy with the voter turnout as



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1 low as it is. However, I'd like to have people who know
2 what they're voting for to come vote.

3 SENATOR ELLIS: So you try to do things to
4 figure out how to get more people to go vote.

5 MR. WALLACE: We try to make things as
6 easy as we can to vote within a reasonable nature of
7 having the folks that are supposed to vote vote.

8 SENATOR ELLIS: Yeah. You mentioned you
9 all have processes and this was your top priority. I
10 assume you all have hearings or meetings around the
11 state or something?

12 MR. WALLACE: We have -- We have a hearing
13 here at the capital.

14 SENATOR ELLIS: What other issues are in
15 your agenda?

16 MR. WALLACE: There are --

17 SENATOR ELLIS: Related to election
18 matters.

19 MR. WALLACE: Proof of citizenship to
20 register to vote, papertrail, where a two county
21 chairmen have a dispute, one runs against the other and
22 the other gets elected and won't turn over the records,
23 transition of county chairs, notification of county
24 chairs for election meetings. I have a -- can give you
25 a copy of my agenda if you want.



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1 SENATOR ELLIS: Was there any discussion
2 when you had your hearings or meetings around the state
3 about whether or not this provision would have more
4 impact on one group or one party than another? Did you
5 have any discussion on what impact it would have on your
6 base voters?

7 MR. WALLACE: I don't think we really
8 looked at it from the perspective of would it benefit us
9 anymore than it would the democratic party or the green
10 party or the Libertarian party. No, I don't recall any
11 discussion like that. I think what -- what our concern
12 was that it would improve the election process.

13 SENATOR ELLIS: Any discussion on whether
14 or not it would have more impact on the elderly or on
15 the party groups?

16 MR. WALLACE: Well, when you look at the
17 situation that there are over 14,000 driver's licenses
18 issued. There's over 2,000 ID cards issued by the DPS,
19 and there's a little over 12,000 registered voters. We
20 really couldn't figure out, you know, how many people we
21 were really putting out to go get a picture ID.
22 Every -- We were talking about the senior citizens and
23 maybe indigent and folks on welfare and stuff. They
24 have to prove at some point in time to be able to get
25 those benefits.



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1 SENATOR ELLIS: You all didn't focus on
2 whether or not it would have additional impact on any
3 particular party, the elderly, minorities. Just didn't
4 hit the radar screen.

5 MR. WALLACE: Well, I can't say that
6 somebody might not have mentioned it, but it wasn't a
7 high priority.

8 SENATOR ELLIS: How did the issue come to
9 you all? I know this is a national movement around the
10 country. Was this sort of home grown or was this
11 something that has been in discussions around the
12 country as --

13 MR. WALLACE: An issue came to my
14 committee presented by several county chairs that they
15 said that they had problems, and they were very adamant
16 that this should be one of our high priorities, and, of
17 course, having been a priority two years ago, it was not
18 hard to convince the committee that we should make it
19 high priority this year.

20 SENATOR ELLIS: Thank you.

21 CHAIRMAN DUNCAN: I will note for the
22 record that in 1948 Coke Stevenson had a little trouble
23 proving fraud too. Senator Fraser?

24 SENATOR FRASER: Just --

25 SENATOR ELLIS: In 1948 my base was not



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1 voting.

2 CHAIRMAN DUNCAN: You are aware of that as
3 well.

4 SENATOR ELLIS: They had a poll tax month
5 other things.

6 CHAIRMAN DUNCAN: We have come a long way,
7 haven't we? Senator Fraser?

8 SENATOR FRASER: Senator Ellis, just for
9 your clarification, last Thursday -- last Thursday you
10 voted on three different bills that were brought to me
11 by the Republican party, but endorsed by the Democratic
12 party, so they have a long list of things that they did
13 of which this was one issue that was brought with them.
14 I don't represent the Democratic party endorsed that --
15 this particular issue, but the other three you voted on
16 Thursday I think were all joint -- they were all joint
17 programs --

18 SENATOR ELLIS: Let the record reflect
19 I've been trying to help this grand old party. You
20 know, Lincoln was one of my favorites. I don't know if
21 you are aware of that. I stated that many times.

22 SENATOR FRASER: We appreciate your
23 support.

24 MR. WALLACE: Senator, of the 21 --

25 SENATOR ELLIS: Which we have overcome. I



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1 want you to be aware that.

2 MR. WALLACE: Of the 21 issues that I had
3 as a legislative agenda, we met with the Democratic
4 party and they agreed with 14 of them, and we have
5 mutually supported those issues through the process this
6 year.

7 SENATOR FRASER: So there was a long list
8 of things that they brought forward, several they asked
9 me to carry, and we've got three of you voted on --

10 CHAIRMAN DUNCAN: I will say this too from
11 my perspective, that the county chair organizations of
12 both parties really try to do a really good job of -- I
13 mean, there are some issues that are partisan based.
14 That's just natural, but by in large on fundamental
15 issues, they try to come up with some reasonable vote --

16 MR. WALLACE: What's good for us is good
17 for them, so --

18 SENATOR ELLIS: But did they -- did they
19 agree on this one that (inaudible).

20 MR. WALLACE: No, they didn't agree on
21 this one. We disagreed to disagree on a few of them.
22 (Inaudible).

23 CHAIRMAN DUNCAN: Let the record be clear,
24 I'm sure they didn't agree on this one.

25 MR. WALLACE: No, sir.



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1 SENATOR FRASER: And if I could, I need to
2 clarify, Royal Masset is a good friend, known him
3 forever, and I just -- I'm assuming probably he hasn't
4 seen the new committee substitute, but in just
5 clarifying, you know, Senator Lucio, if there's someone
6 that has voted by mail before, nothing changes. If they
7 haven't voted by mail, all they got to do is just send
8 in any type of identification.

9 And it comes to mind -- My mother's in a
10 retirement center, and I'm -- you know, what -- our
11 adventure everyday is to go take her cart down and get
12 her to the mailbox. She gets mail, you know, weekly
13 from some governmental entity, her Social Security
14 check. She gets -- You know, any time we do Medicare
15 and have to go to the doctor, she's got a little
16 Medicare card. We cannot go to the doctor unless we
17 have that Medicare card.

18 So any of those forms of identification if
19 they want to vote by mail still is in effect. Well, the
20 same thing applies if they want -- if -- if I can help
21 my mother on that day to take a field trip, I'm going to
22 try to get her out of the retirement center and we're
23 going to go down and vote. I know just -- she has
24 probably five different types of photo ID, you know,
25 military ID, her past driver's license and all that.



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1 But let's say that she didn't, the mail that she
2 received the last three weeks will probably have some
3 communication from the government which would be
4 Medicare, Social Security check, something -- you know,
5 income tax, something that came in. So any of those
6 will work.

7 And I can't imagine any elderly person --
8 I guess, Skipper, I think you're probably aware. I've
9 heard it numerous times, but the district that I
10 represent, I understand is the oldest age -- average age
11 district of any district, senatorial, state, because we
12 are in a retirement community.

13 MR. WALLACE: I couldn't testify to that,
14 but I've heard that a couple of years.

15 SENATOR FRASER: You know, almost my whole
16 area are retirement places, and I think I probably
17 represent the oldest average age of anybody in the
18 state. I find it interesting, if that's the case, and
19 AARP -- AARP, the people that I represent, I would
20 suspect most are members including -- you know, how to
21 get their mail -- and I don't want to represent your
22 answer, but you might get mail from them.

23 MR. WALLACE: I'm 62, Senator.

24 SENATOR FRASER: So the people that I
25 represent -- And I think the fact that you brought this



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1 bill forward representing the people of this -- my
2 senatorial district, I'm not being overrun with people
3 that are retirement age people saying they're being
4 disenfranchised is that I think we have a very, very
5 easy mechanism that is on the -- not only ongoing, but
6 it's easy to comply with and things they've been doing
7 for years. And I -- I would, I guess, ask you, are you
8 hearing an outcry from the people our age or older that
9 they've got a problem and not going to be able to vote?

10 MR. WALLACE: No.

11 SENATOR FRASER: I would -- I know that's
12 being brought forward, and I guess -- I'm sorry, I'm
13 having trouble with that concept and more especially the
14 fact that I am in and around a retirement home virtually
15 if I'm home daily and visiting with people, and I
16 just -- I know the mail that comes in to an elderly
17 person, it's going to be real easy for them if -- and
18 probably my mother will vote by mail, and I'll probably
19 help her do that, and if she had qualified it will be
20 easy to do, and that is current law today.

21 SENATOR ELLIS: When you are in a
22 retirement home and you want me to take you to vote and
23 you don't have your ID, in a (inaudible) will arrive and
24 will you take me?

25 SENATOR FRASER: Well, I would hold the



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1 point that I take my mother to the doctor all the time,
2 and she cannot go to the doctor unless she has her
3 Medicare card. You have to have that, and they have to
4 make a copy of it, otherwise, you can't go to the
5 doctor, and you also -- your -- your revenue that you
6 gets from the government, and almost everybody still
7 gets Social Security, I think, and they get mail, so
8 that's all they have to have for identification.

9 CHAIRMAN DUNCAN: Senator Lucio has a
10 question. Members, I really -- I think this back and
11 forth dialogue is absolutely what we need to be doing on
12 this, so I'll recognize two at a time.

13 SENATOR LUCIO: Thank you, Mr. Chairman.
14 Chairman Fraser, so what you're saying is all the senior
15 citizens that are in nursing homes will have the ability
16 to make copies through the main offices. You think
17 there will be an expense for that -- in doing that for
18 them? This is an expense. I'm sure that they are not
19 going to be --

20 SENATOR FRASER: Senator, I can't
21 represent just blanket that it does. All I know is
22 looking at the ones that my mother's in and my
23 grandmother's in, and those are --

24 SENATOR LUCIO: But, you know, the State
25 of Texas is so diversified, but I won't make that an



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1 issue. If it is an issue, I won't make it this morning.
2 I just very briefly set up a scenario for you,
3 Mr. Wallace or Senator Fraser or me or Chairman Duncan
4 or anyone in this committee, anyone that's here. You go
5 down to your polling place you voted for many years, and
6 there are people that know you. Under this legislation,
7 if you forgot your voter registration at home or an ID,
8 I've done that many times. As a matter of fact, I do it
9 90 percent of the time, and I sign information or I sign
10 my name. Under this legislation, you're going to have
11 to go back home or go get a ID. You won't be able to
12 vote, correct?

13 MR. WALLACE: I -- I believe you are still
14 able to vote provisional ballot -- provisional ballot,
15 which you get the opportunity -- if you forgot your
16 identification at home, you can still get identification
17 to the voter registrar's office and then your vote will
18 be counted. I believe that's the way the bill works.

19 CHAIRMAN DUNCAN: We do have a resource
20 witness here, Ms. --

21 SENATOR LUCIO: Let's talk about that for
22 a minute.

23 CHAIRMAN DUNCAN: From the Secretary of
24 State's office. Senator Van De Putte?

25 SENATOR VAN DE PUTTE: Thank you,



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1 Mr. Wallace for being here and certainly appreciate it.
2 If all the data and statistics suggest that if we do
3 have voter fraud, that it's not voter -- where they try
4 to do the -- misrepresent who they are at the polls.
5 And I would say to you being involved in the process,
6 there's probably a certain amount of some sort of maybe
7 not fraud, but where the processes aren't adhered to.
8 This is impersonation. So I don't know how many cases,
9 and it doesn't seem in questioning -- and we'll have the
10 Secretary of State's office up here and the Attorney
11 General's office, but they have not been made aware
12 of -- and no cases have ever been prosecuted -- of voter
13 impersonation because I think all of us want to have the
14 strongest most protected system, but not at the expense
15 of voter suppression.

16 And so my rationale in looking at this is
17 knowing what it's going to do and what it's done in
18 other states to lower the percentage when the
19 misrepresentation of who you are isn't -- doesn't really
20 occur or if it does, it's in so small cases.

21 Can you tell me what -- I know that you
22 stated that your -- that you would like to see more
23 voter turnout as we all would. What does your party
24 platform have in it that pertains to voter registration
25 and voter ID?



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1 MR. WALLACE: Well, our voter party
2 platform does promote voter ID. It specifically
3 promotes this kind of legislation to improve the voting
4 process.

5 SENATOR VAN DE PUTTE: And does your --
6 your platform also include -- And the reason I did it is
7 because I used to chair the platform committee on the
8 Democrat side. I looked at the document on the
9 Republican side is basically tried to have as few words
10 as we could to get the point across, and I understand
11 the platform that the Republican party has, which I'm
12 sure you support being a county chair. It also calls
13 for registration every two years -- for voter
14 registration every two years.

15 MR. WALLACE: I don't have that document
16 in front of me and I'm afraid I'd be --

17 SENATOR VAN DE PUTTE: Well, I think it
18 is, and so my question is if you had supported a
19 document that calls for registration every two years,
20 doesn't that kind of limit or suppress voter turnout?

21 MR. WALLACE: I don't -- I don't know that
22 I could -- if that is in the platform.

23 SENATOR VAN DE PUTTE: I think it is.

24 MR. WALLACE: I don't know that I could
25 support that particular plank of platform.



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1 SENATOR VAN DE PUTTE: Thank you for being
2 honest. The second thing is if this is voter
3 impersonation, and that's what we're talking about in
4 this bill, it's a way to make sure that the people say
5 who they are, and if somebody wanted to steal an
6 election, I'm going to tell you I don't think this is
7 the way to do it because it would really call attention
8 to who that person is to get a whole group of people to
9 go and vote for a certain candidate, not saying --
10 trying to falsify who they are. So it's not a very big
11 problem, voter impersonation, and that's what the bill's
12 about.

13 But the cost on the fiscal note to the
14 state is it \$1.4 million from my Texas Mobility Fund,
15 and I know it's as a conservative how can you support
16 this costing us almost a million and a half dollars when
17 the problem of voter impersonation is so very rare. It
18 seems to me kind of out of balance, and I'd like your
19 thoughts on that since it does cost us out of our
20 Mobility Fund, 1. -- about a million and a half dollars.

21 MR. WALLACE: I'm not -- For me with the
22 specifics of how that number was generated, I've not
23 seen those details. I would like to see that. I'm sure
24 there would be some additional cost to the state since
25 in the bill we have provided in that anyone that came



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1 and needed a photo ID, there would be no cost to them.

2 SENATOR VAN DE PUTTE: That's correct, and
3 that's what the cost is.

4 CHAIRMAN DUNCAN: For the record, the
5 methodology of that would be that the DPS assumes 100
6 percent -- that the methodology seen on Page 2, it just
7 depends on how many card holders would choose to use
8 their ID cards as voter ID, the DPS assumes 100 percent
9 of those are 536,888 card holders would use the card for
10 voting purposes only. So that's -- And it's a \$15 --
11 the fee would be waived, and so it's about how they get
12 there in the fiscal note.

13 SENATOR VAN DE PUTTE: And maybe we could
14 get your help, but, you know, normally, we -- even if --
15 if this was a huge, huge problem, I think there's other
16 methodology if we've got significant voter fraud to get
17 it, but this only deals with voter impersonation.

18 MR. WALLACE: Senator, one of the things
19 that keeps it from being thrown out is there are no
20 documented cases. If you'll look at the whole scenario
21 of voter fraud cases, there are very few documented
22 cases of voter fraud that have gone through the AG's
23 office in the courts, period. And, you know, there's
24 lot of different reasons for that, as I went into some
25 of those earlier. But I -- I just feel like that -- and



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1 it's not something I've got some hard evidence on.

2 SENATOR VAN DE PUTTE: Okay.

3 MR. WALLACE: And it's unless the county
4 chairs from all over this state are lying to me, which I
5 don't think that they are, they perceive that there is a
6 problem.

7 SENATOR VAN DE PUTTE: Well, and I'm
8 concerned about that because --

9 MR. WALLACE: And am too.

10 SENATOR VAN DE PUTTE: -- as far as I
11 know, any time that there is a problem, I know that --
12 and I don't know about Republican county chairs, but I
13 know Democratic county chairs don't go to the DA. They
14 go straight to the Secretary of State's office to either
15 file a complaint or to notify the Secretary of State's
16 office, and maybe when they get them up here -- I think
17 that's kind of the proper route rather than you don't go
18 to your district attorney or to your police officers. I
19 think that you go to Secretary of State, and as far as I
20 know I think they do go, but it hasn't been for that --
21 and I think one reason why the elections run so smoothly
22 is because county officials are dedicated to a clean
23 verifiable process. I think our election judges do a
24 great job in training, and I think one of the reasons
25 things go so sweet, when you think about the millions of



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1 votes that are cast and the numbers of, I guess, voter
2 impersonation cases that we have -- I think that --
3 that's because I think they're doing a good job. I
4 think our county chairs are going a good job. Certainly
5 there's always room for improvements, but why when we
6 have such a miserable voter turnout compared to other --
7 even third world countries, we have such a small voter
8 turnout compared to other countries, I just don't
9 understand why we wouldn't be doing everything we can to
10 increase voter turnout rather than to knowingly
11 suppress, particularly, the elderly population when
12 there's very few cases of it.

13 MR. WALLACE: Well, there's considerable
14 difference of opinion as to whether it would suppress
15 the voter turnout.

16 SENATOR VAN DE PUTTE: Well, the data
17 shows us that it does and I (inaudible) look at the
18 data.

19 MR. WALLACE: I just telling a scenario
20 that says the reason that the voter turnout is less is
21 because there's no fraud, so I -- you know, I can't
22 prove that one way or the other. So we can't prove, you
23 know, why the voter turnout goes down. We -- You got to
24 assume that -- that it's because we make it more
25 difficult. Other side assumes because we don't have the



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1 fraud anymore, so, you know, those are some of those
2 things that are out in the gray area that you or I will
3 probably never be able to prove one way or the other.

4 SENATOR VAN DE PUTTE: I just don't think
5 that 3 to 5 percent of all voters today are coming in
6 and impersonating other voters. I just cannot believe
7 that.

8 MR. WALLACE: I have no idea.

9 SENATOR VAN DE PUTTE: And having to work
10 an election, and that's what the -- the strategy -- we
11 would adopt this. We know that it's going to
12 disenfranchise at least that many folks, and I just
13 can't brief in my heart the good job that they do.

14 CHAIRMAN DUNCAN: Let me add this because
15 I -- I've tried to just kind of listen because I hasn't
16 been a -- this hasn't been a number one target of
17 priority on my agenda, but I'm compelled by a couple of
18 things. One thing I think Senator Fraser laid out a
19 good argument in the beginning, and he says that, well,
20 if one voter votes illegally or fraudulently cancels out
21 the vote of another person who voted legally.

22 No. 2, I mentioned the Coke Stevenson
23 issue a while ago, not just trying to be funny, but for
24 a reason. There was -- I don't think anybody disagrees
25 there was voter fraud in that election. But that man



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1 couldn't prove it. I think that, you know, our poll
2 workers and election judges are not law enforcement
3 officials. They don't have protection. They don't have
4 any way to question or detain. All they can do is
5 suspect and turn it in or just -- you know, it's kind of
6 like there's a hassle to it. So the notion here is --
7 is that, well, it seems like there are -- I mean, the
8 bill -- I think Senator Fraser's done a good job of
9 trying to meet the requirements of law and then there is
10 the option of the provisional ballot, if someone forgets
11 their voter ID or whatever.

12 And I'm not sure how I understand how that
13 is so oppressive as opposed to the part -- as opposed to
14 the scenario of when someone votes fraudulently, a legal
15 vote is canceled, and that seems to me to be an
16 overriding policy principle in this whole issue.

17 SENATOR VAN DE PUTTE: And I think so,
18 Senator. It's just that if there's voter fraud going
19 on, I just don't know that it's in impersonation, that
20 people are pretending to be someone that they aren't for
21 the purpose of voting. Now, maybe mail ballots, maybe
22 other parts, but this -- this is just about voter
23 impersonation, and I don't know that that's a huge, huge
24 part of -- what we do know -- and you're right, and
25 Senator Fraser asked is it too much to ask? Well, no,



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1 it's not too much to ask, but what I'm doing is weighing
2 what's the problem that we're trying to correct? And so
3 I don't buy that we have a problem in voter
4 impersonation. We may have a problem in other areas,
5 but to me it's not --

6 SENATOR LUCIO: Votes twice.

7 SENATOR VAN DE PUTTE: -- not a problem
8 that surmounts to the type of suppression that we know
9 is going to happen.

10 CHAIRMAN DUNCAN: Thank you, Senator.
11 Senator Ellis?

12 SENATOR LUCIO: I thank Senator Van de
13 Putte is on the right track. I think there might be a
14 problem and I've heard where people might want to vote
15 twice for is for you, Senator Duncan. Since you've done
16 such a great job people go out to the courthouse and
17 voted early and then they go, you know, election day
18 or --

19 CHAIRMAN DUNCAN: I haven't had that
20 problem yet.

21 SENATOR LUCIO: I want to ask you a
22 question, Senator Fraser, and it's relative to our
23 conversation this morning in terms of voter fraud and
24 cases and statistics that we are trying to ascertain so
25 that we can, you know, have no doubt that it truly



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1 exists, and I don't know what the law says, but if
2 there's a -- there's an election judge or anyone,
3 election officials break the law, in our books today, if
4 they don't report what they feel might be voter fraud --

5 SENATOR FRASER: No.

6 SENATOR LUCIO: If that is not the case,
7 then I think we should have it and that way we can make
8 sure in the future we have the statistics necessary, how
9 will file, how many are ex-prosecutors, how many came
10 out guilty, et cetera, and that way this wouldn't be a
11 problem in terms of readily debating an issue as such.
12 If there is a major problem, I don't think we'll make it
13 (inaudible) --

14 CHAIRMAN DUNCAN: Let me turn it around --
15 Let me turn it around the other and look at it this way.
16 There's one way we can try to enforce it and that's
17 repressive tactics like questioning people or detaining
18 them for the purpose of proving voter fraud. That's
19 what you would have to do in the current system if you
20 are really going to make a case. I mean, you've got to
21 actually detain the person so that you can identify who
22 they are and force the case, and not many of our
23 election judges are ever willing to do that.

24 So what this is, this is the least
25 restrictive means to be able to verify voters, it seems



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1 to me, and not put our election judges and officials in
2 the position of having to be law enforcement officers.

3 SENATOR LUCIO: Sooner or later we are
4 going to come up with systems -- when we have the money
5 and when somebody goes in to vote, they're going to take
6 a picture of them, cameras going to go off. Every
7 voter -- It takes money and, obviously, that's going
8 to -- that's going to have the biggest check and balance
9 ever. We'll come to that. I don't think we're ready
10 for that because I don't think people are wanting to put
11 up the money for such a system, but all of those things
12 will happen in the future. I understand what you just
13 said --

14 CHAIRMAN DUNCAN: Let me ask -- Let me ask
15 kind of an rhetorical question on this too. Is it --
16 what -- Two years or in a year the Real ID Act, or what
17 I call the George Orwell special -- the George Orwell
18 Act, will come into being, and everyone will have an ID.
19 Would the objection -- Would the same objection when the
20 Real ID Act comes aboard, would -- and this is a
21 partisan issue to a certain degree. I think it's pretty
22 clear the lines are drawn on this pretty much, but would
23 the issue be any different if we had the Real ID Act?
24 That's a question we need to debate.

25 SENATOR VAN DE PUTTE: I would love to



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1 have the department here -- DPS here to explain how
2 that's going to rule out and what that does -- and maybe
3 the Secretary of State to figure out how do these work
4 congruently.

5 CHAIRMAN DUNCAN: But if every person had
6 to have an -- if every person had to have an ID, how
7 would that impact the opposition to this legislation?

8 SENATOR ELLIS: Mr. Chairman, from my
9 standpoint, I would say that we need to see how that
10 rolls out. I mean, we are talking about a
11 constitutional right here, which is different from
12 renting a movie or getting welfare is not
13 constitutional, right? It will be interesting to see if
14 on the Federal level some provisions are put in or
15 changes are put in to make sure that we don't do
16 anything to infringe on somebody's right. I mean,
17 obviously, we have to spend money -- we have to spend
18 money in terms of educating people because they are just
19 not accustomed to having had that.

20 CHAIRMAN DUNCAN: If the -- if the most
21 compelling argument -- The most compelling argument I've
22 heard in opposition to this today is the fact that some
23 people may simply not have an ID because of their age or
24 their poverty level or forget to bring it or not get the
25 information that you need to have it, and they show up



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1 to vote and they're rejected because they don't have the
2 ID, so that's an alleged disenfranchisement. So if
3 everybody has to have an ID, then doesn't that argument
4 go away?

5 SENATOR ELLIS: No, not completely. I
6 think it diminishes that argument but the difference
7 is -- You know, I left my wallet in Austin last week and
8 drove home. And you talk about a awkward feeling
9 because I have to fly -- I do things where I'm
10 accustomed to having my ID, if I'm riding my bicycle to
11 Austin. I mean, I'm accustomed to that, but we have to
12 see, first of all, whether or not they have a problem.
13 I mean what concerns all of us, there have been no
14 instances in which somebody's been prosecuted or to my
15 knowledge someone has been turned in so that you could
16 make the case.

17 CHAIRMAN DUNCAN: Let me ask you this.
18 How would that occur? Tell me how -- Walk me through a
19 real life situation at an election poll about how that
20 would occur.

21 SENATOR ELLIS: Robert Duncan goes to
22 vote. He does not have any ID. He signs this sheet of
23 paper saying that he's Robert Duncan, but as it turns
24 out, he's not Robert Duncan. He's Karl Duncan. He
25 committed voter fraud.



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1 CHAIRMAN DUNCAN: You bet. And how are
2 you going to prove it?

3 SENATOR ELLIS: Well, you prove it because
4 it will be pretty easy to go look at that signature and
5 see that the person that signed that was not Robert
6 Duncan.

7 CHAIRMAN DUNCAN: How easy would it be?
8 What would you have to do to prove that?

9 SENATOR ELLIS: Well, if you were the
10 precinct judge, you'd turn it in to the Secretary of
11 State or you'd turn --

12 CHAIRMAN DUNCAN: What if you didn't know?
13 You don't know everybody that comes in there, do you?

14 SENATOR ELLIS: Well, hey, if you don't
15 know about a crime -- I mean, there are crimes that are
16 committed everyday that people don't know about, but
17 before I think we all to leave my judgment into doing
18 something that some of us feel may have a chilling
19 impact, particularly on certain groups, on the elderly,
20 probably on the minorities, you know, probably more on a
21 partisan -- at least the vote is that it would have
22 voter impact, maybe what would amount to 3, 4 percent.
23 I mean, some people have said to me privately, well, so
24 what? When I thought the number was 1 percent vote
25 (inaudible) people would say so what? Well, that's when



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1 the argument is made sort of like a solution looking for
2 a problem. I mean, on most things we do, we just don't
3 go past things because we have official instinct that
4 some problem is going to happen. Here's what we want to
5 documented before particularly -- You know, in our
6 state, with all due respect, we have had a rather noble
7 history when it comes to encouraging people to vote in
8 the state, and we have such low turnout. I mean, you
9 and I talked privately about some states. Some
10 countries give you a ticket. If you don't vote in
11 Brazil, you get a one dollar ticket to encourage people
12 to turn out to vote.

13 So I state with so few people are voting,
14 and you talk about something that impacts minorities, I
15 mean, you know, we have history. It's not a regular.
16 Lots of things have been done to -- to discourage people
17 in Texas from voting. It's always been one of those
18 states that have embraced this notion, and even
19 (inaudible) partisan advantage. Usually we like
20 everybody to vote, but we particularly like the voters
21 that are going to come vote for us. So that's -- You
22 know, I think that's sort of -- But I was going to say,
23 Mr. Chairman --

24 CHAIRMAN DUNCAN: I know you have a lot of
25 dialogue. I think it's very interesting --



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1 SENATOR ELLIS: You've got a lot of
2 experts here, a lot of witnesses. These two just get
3 the brunt of coming up first --

4 SENATOR VAN DE PUTTE: Thank you.

5 SENATOR ELLIS: -- so, alphabetically, you
6 must have ended up in the shuffle first, but I know
7 there are a lot of others out there that probably have
8 even more experience than us on some of those issues.

9 CHAIRMAN DUNCAN: Senator Lucio has a
10 question and then we'll move to the next panel.

11 SENATOR LUCIO: Mr. Chairman, I think we
12 started a dialogue here on one of the most important
13 issues, obviously, that -- that as citizens of the state
14 we care to be involved with and that's the political
15 process. I think that at one point or another,
16 Mr. Chairman, I know that you'll agree with, we're going
17 to have to start bracketing some of these counties,
18 probably take the top counties first. In my opinion,
19 that's -- that's where most of your heavy voting takes
20 place, and start requiring people to reregister, just
21 like when they go get a driver's license and they have
22 their picture taken, have that in the computer so when
23 people show up to vote, it comes out in the computer.

24 At least every 10 years -- I know you
25 still use your 10-year photos in the senate. And we



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1 still recognize you, the fact that you haven't aged.
2 But seriously speaking, I think that's the system that
3 had -- is going to have to take place sooner or later,
4 and we are not going to have to worry about voter fraud.
5 We're going to know that it's you right there in front
6 of us.

7 CHAIRMAN DUNCAN: It would serve if you go
8 get a new photograph.

9 SENATOR LUCIO: But, seriously, I think --
10 I think we're going to have to look at that. That way,
11 we're not going to have -- make this in any way a
12 partisan issue. It wouldn't be a partisan issue. It
13 isn't a partisan issue, but, frankly, if I could get
14 documentation that would show me that there's a
15 tremendous amount of voter fraud even in my district, I
16 would gladly sign off on this legislation.

17 CHAIRMAN DUNCAN: Thank you. Okay. Let's
18 bring up -- Thank you, Senator Lucio. Let's bring up
19 our next panel, and then -- but before everybody kind of
20 moves around, let's go ahead, and the clerk will call
21 the role.

22 THE CLERK: Duncan.

23 CHAIRMAN DUNCAN: Present.

24 THE CLERK: Williams? Corona? Ellis?
25 Fraser? Harris? Jackson? Lucio? Van de Putte.



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1 SENATOR VAN DE PUTTE: Present.

2 CHAIRMAN DUNCAN: All right. A quorum is
3 present. Okay. Members, we have the following
4 witnesses, David Sanchez, Helen Carvell, and Carolyn
5 Galloway. If you'll come up and state your name, who
6 you represent. Remember, you have 3 minutes. Please
7 don't read to us. And then we will not ask questions
8 until you finish your testimony. Go ahead and state
9 your name.

10 MR. SANCHEZ: Good morning. David Sanchez
11 for the record. I am the chairman of the Cameron County
12 Democratic party. Good morning, chairman, senators.
13 Thank you for allowing me a few moments today to address
14 you on this important issue, and I think it's clear that
15 most of the compelling arguments have already been laid
16 out. Rather than go over those, I'll just maybe ask a
17 few rhetorical questions. One, when you senators go to
18 vote, how many forms of ID do you have to show just here
19 on the senate floor or even the committee? You know, if
20 you only have rules for yourself, why? Because the
21 purpose of that is to make sure that there's no voter
22 fraud. That's what we're looking at here. I think it's
23 very clear that when each senator's here, they're
24 obviously recognized, so there's no issue.

25 With regard to deterring these folks from



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1 committing voter fraud at the polls, I think it's
2 important to take into consideration the fact that there
3 are minuscule cases out there, perhaps not. Even it
4 sounds like from hearing the group before me that there
5 weren't any traces of actual cases of convictions or so
6 forth. But in the case where somebody believes there is
7 voter fraud going on, where did that belief foster from?
8 Is it just the wrong party affiliation or perhaps they
9 think that person is voting for the other party.

10 I think instead of passing legislation
11 with regard to -- to tampering with someone's right to
12 vote, I think there are other safeguards that can be put
13 into place that can correct it. One of the -- One of
14 the things I heard, I think it was Senator Fraser saying
15 he couldn't imagine people not having documents that
16 would fulfill the obligations here. Well, to this day
17 there's still people that live maybe 5 to 10 adults
18 under one household, and they are not all going to have
19 their name on a utility bill. They might not all have a
20 library card. There's going to be documents that they
21 might not receive. They might not qualify for
22 government benefits. To this day, there are still
23 people who live in a home with no electricity, no
24 running water, and, nevertheless, they're still United
25 States citizens and they have a constitutional right to



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1 vote.

2 I think that as you sit here as a
3 committee and as a group of senators you need to keep in
4 mind the fact that you're representing all the
5 individuals that are out there, not just the ones that
6 are privy to some of the documentation that we presume
7 and take for granted every adult out there has.

8 Lastly, one of the other things I heard
9 coming up was how do you -- how do you deal with the
10 fact that someone that's voting fraudulently cancels out
11 a legal vote? Well, I mean, now you're presuming that
12 all the fraudulent votes are going on one side of that
13 ballot, and I would assume that they perhaps could go
14 both ways. Thank you.

15 CHAIRMAN DUNCAN: Senator Lucio?

16 SENATOR LUCIO: Mr. Chairman, first of
17 all, thank you for making the 700 mile trip one way, and
18 I appreciate you being my chairman down in Cameron, but
19 I -- I really respect chairmans of both parties. I know
20 they work very hard to represent their membership. It
21 was mentioned a little while ago that there was a poll
22 taken on several issues dealing with elections and all.
23 Were you part of that -- that survey or that poll?

24 MR. SANCHEZ: No, I wasn't. And I am a
25 county chair, so I wasn't included in that group.



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1 SENATOR LUCIO: Do you know who was?

2 MR. SANCHEZ: I don't. I would presume
3 that it perhaps was just the other party since it wasn't
4 specifically stated, but that would just be presumption
5 on my part.

6 SENATOR LUCIO: In Cameron County that
7 you've been involved with, what -- what -- what -- what
8 is the percentages of those registered to vote and
9 who -- how many do you think are still not registered to
10 vote?

11 MR. SANCHEZ: What percentage? Registered
12 voters --

13 SENATOR LUCIO: The reason I ask that is a
14 lot of people feel it's still a very hard thing to do is
15 to get involved in the political process, even though
16 they believe in government, they're interested in
17 governmental affairs and the access of government, but
18 as you mentioned, and I said it a while ago, the state
19 is so diversified that there's still people living in
20 certain areas of the state that still have a lot of
21 trouble even getting to the polls and making it a little
22 tougher on them in case they don't have proper
23 documentation at the time they are going to vote will
24 keep them away from the polls, and I'm sure that's the
25 way you feel.



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1 MR. SANCHEZ: That's exactly right,
2 Senator. As far as numbers, I will say less than half
3 the constituency -- probably half the population
4 registered. Of course, that doesn't take into
5 consideration the number of minors that there may be
6 living in the county. Other than that, the voter
7 turnout as Senator Van de Putte had said earlier, it's
8 very sad news because it's very low. It's not just in
9 south Texas, but I think around the state, and I think
10 this really deter people from coming out and vote
11 because, as you said, there are lots of rural areas even
12 in our county where people have to travel to be able to
13 vote, and if they have to make more than one trip, they
14 might not make that trip just because of the means that
15 it requires.

16 SENATOR LUCIO: I just received this, and
17 I just thought of interest, Travis County had received
18 an award, I believe, for the second year in a row for
19 being the highest voter turnout in Texas, 40 percent,
20 10 percent higher than any other county. I can't
21 remember that kind of voter turnout. I know that when
22 John Kennedy ran in the early -- in the '60s, we had
23 something similar to that, and just across the river, I
24 understand as Senator Van De Putte was referring to,
25 people coming here from other countries are used to



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